

7. To what extent may Member State courts rely on the interpretation of Council Regulation (EC) No 1472/2006 made by the Court of Justice in the framework of cases C-249/10 P *Brosmann* and C-247/10 P *Zhejiang Aokang* to consider that duties were not legally owed within the meaning of Article 236 of the Community Customs Code [Council Regulation 2913/92 ⁽³⁾] for companies that, just as the Appellants in the *Brosmann* and *Zhejiang Aokang* cases, were not sampled but did submit market economy treatment and individual treatment requests that were not examined?

⁽¹⁾ Council Regulation (EC) No 1472/2006 of 5 October 2006 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and Vietnam

OJ L 275, p. 1

⁽²⁾ Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community

OJ L 56, p. 1

⁽³⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code

OJ L 302, p. 1

Request for a preliminary ruling from the Administratīvā apgabaltiesa (Latvia) lodged on 13 December 2013 — VAS ‘Ceļu satiksmes drošības direkcija’, Latvijas Republikas Satiksmes ministrija

(Case C-664/13)

(2014/C 71/15)

Language of the case: Latvian

Referring court

Administratīvā apgabaltiesa

Parties to the main proceedings

Appellants: VAS ‘Ceļu satiksmes drošības direkcija’, Latvijas Republikas Satiksmes ministrija

Respondent: K. Nīmanis

Question referred

Must Article 12 of Directive 2006/126/EC ⁽¹⁾ of the European Parliament and of the Council of 20 December 2006 on driving licences, in conjunction with the first sentence of the second recital in the preamble thereto, be interpreted as precluding legislation of a Member State which provides that the only means of proving that a person is normally resident in that State (Latvia) is the declared residence of that person? ‘Declared residence’ must be understood as meaning the obligation of the person, in accordance with the national legislation, to be registered in a

state register, in order to notify his accessibility at the declared residence for the purposes of his legal relations with the State and the local authorities.

⁽¹⁾ OJ 2006 L 403, p. 18.

Request for a preliminary ruling from the Lietuvos Aukščiausiasis Teismas (Lithuania) lodged on 17 December 2013 — VĮ ‘Indėlių ir investicijų draudimas’ and Nėmaniūnas

(Case C-671/13)

(2014/C 71/16)

Language of the case: Lithuanian

Referring court

Lietuvos Aukščiausiasis Teismas

Parties to the main proceedings

Appellants in cassation: VĮ ‘Indėlių ir investicijų draudimas’ and Virgilijus Vidutis Nėmaniūnas

Other parties: Vitoldas Gulavičius and the bank ‘Snoras’, an insolvent public limited company

Questions referred

1. Is Article 7(2) of Directive 94/19, ⁽¹⁾ applied in conjunction with point 12 of Annex I to that directive, to be understood and interpreted as meaning that, where a Member State excludes from the guarantee depositors of a credit institution who possess debt securities (certificates of deposit) issued by that institution, that exclusion can be applied only in the event that the abovementioned certificates of deposit fully conform to (possess) all the features characterising them as financial instruments within the meaning of Directive 2004/39 ⁽²⁾ (having regard also to other measures of European Union law, for example, Regulation (EC) No 25/2009 of the European Central Bank), inter alia their negotiability on a secondary financial market?
2. If the relevant Member State elects to transpose Directives 94/19 and 97/9 ⁽³⁾ into national law in such a way that schemes for depositor and investor protection are laid down in a single legal measure (a law), are Article 7(2) of Directive 94/19, applied in conjunction with point 12 of Annex I to that directive, and Article 2(2) of Directive 97/9, taking account of Article 2(3) of Directive 97/9, to be understood and interpreted as meaning that it is not possible for no protection (guarantee) scheme for the purposes of the abovementioned directives to apply to holders of certificates of deposit and of bonds?